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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

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9 JOHN M. TOWNSEND, )

10 Plaintiff, )

3:07-cv-00178-LRH (VPC)

11 v. )

ORDER

12 BROOKS, et al., )

13 Defendants. )  
14 \_\_\_\_\_ )

15 Before this Court is Report and Recommendation of U.S. Magistrate Judge (#9<sup>1</sup>) entered  
16 on August 20, 2007, recommending granting Defendants' Motion to Dismiss/Summary Judgment (#6)  
17 filed on November 16, 2005. Plaintiff filed his Objections to Magistrate Judge's Report and  
18 Recommendation (#12) on January 4, 2008, and Defendants filed their Opposition to Plaintiff's  
19 Objection to Magistrate Judge's Report and Recommendation on January 23, 2008 (#13), pursuant to  
20 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District  
21 Court for the District of Nevada.

22 The Court has conducted its *de novo* review in this case, has fully considered the objections  
23 of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record  
24 pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate  
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26 <sup>1</sup>Refers to the court's docket number.

1 Judge's Report and Recommendation ( #9) entered on November 27, 2007, should be adopted and  
2 accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation  
4 (#9) entered on November 27, 2007, is adopted and accepted, and Defendant's Motion to  
5 Dismiss/Summary Judgment (#6) is GRANTED. The Clerk shall enter judgment accordingly.

6 IT IS SO ORDERED.

7 DATED this 4<sup>th</sup> day of March, 2008.

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11 LARRY R. HICKS  
12 UNITED STATES DISTRICT JUDGE  
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